IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

W.P. No. 503 (S/S) OF 2005

Manoj Kumar Rawat, S/o Sri Puran Singh Rawat,
Presently working as
Coordinator, N.P.R.G. Chikiya,
Ramnagar, District Nainital.

.....Petitioners.

Versus

1. Joint Director Education, Nainital.
2. Basic Shiksha Adhikari, Udham Singh Nagar.
3. Basic Shiksha Adhikari, Nainital.

.....Respondents.

Sri S.S. Yadav, learned counsel for the petitioners.
Learned Standing counsel for the respondents.

Hon'ble Rajesh Tandon, J.

Both the parties have agreed that let the writ petition be disposed of finally in terms of the prayer for consideration of the representation of the petitioners for relieving the petitioner.

By means of this petition, the petitioner, who is presently working as Coordinator, N.P.R.G. Chikiya, Ramnagar, District Nainital has prayed for a writ, order or direction in the nature of mandamus directing the respondents to relieve the petitioners for district Udham Singh Nagar from district Nainital on the vacant post of Assistant Teacher according to his option.

Contention of the petitioner is that the petitioner was appointed as Assistant Teacher in Primary Schools in district Nainital. In the year 1995 a new district, namely, Udham Singh Nagar was bifurcated from district Nainital. At the time of bifurcation, the petitioner was teaching in district Nainital, therefore, options was invited from the petitioner and they have

opted for district Udham Singh Nagar. The petitioner has made representation several times before the authority concerned to relieve him for the district he has opted. Till date, the respondents have not taken any decision on the representation an they are not being relieved to district Udham Singh Nagar.

Learned counsel for the petitioner has also pointed out that the similar matter in Writ No. 837 of 2004 a direction has been made for considering the representation in the light of the options given on the bifurcation of the district.

In view of the aforesaid facts, I direct the Joint Director of Education (Basic) Kumaon Division, Nainital to decide the representation moved by the petitioner within a period of four weeks from the date of receipt of a certified copy of this order. The petitioner is directed to place the copy of this order along with their representation before the Joint Director of Education (Basic), Kumaon Region, Nainital/ In-charge Regional Basic Schools, Kumaon Mandal within two weeks from today.

With these directions, writ petition is disposed of finally.

(Rajesh Tandon, J.)

Dated: 05.05.2005

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